

W.R. Grace & Co., et al.
Case No. 01-01139 (JKF)

Exhibit C

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

W.R. GRACE & CO., et al.,

Debtors.

Chapter 11

Case No. 01-01139 (JKF)
(Jointly Administered)

DECLARATION OF ROSEMARY DASZKIEWICZ

I, Rosemary Daszkiewicz, hereby declare and testify under penalty of perjury as follows:

1. I am over eighteen years of age and believe the statements contained herein are true based on my personal knowledge.

2. I am a licensed attorney in the State of Washington employed by Plum Creek Timber Company, Inc. as Senior Director of its Law Department, and in connection with my employment, I act as counsel to its wholly-owned subsidiary, Plum Creek Timberlands, L.P.

3. After learning that the United States Environmental Protection Agency prepared a draft report dated May 6, 2010 (the "EPA Draft Report") raising the prospect that Plum Creek's timber in the vicinity of Libby, Montana might be unsafe to log because of the potential presence of asbestos material imbedded into the bark of our timber, I conferred with certain employees and reviewed certain records maintained by Plum Creek. To my knowledge, Plum Creek received no notices in the bankruptcy case, including but not limited to any notice of the date by which claims had to be filed against the Debtors.

4. I have reviewed the EPA Draft Report which discusses the Libby, Montana "Superfund Site" and identifies a geographic area known as Operable Unit 3, or "OU 3." Plum Creek owns approximately 5,000 – 6,000 acres of timberlands within OU 3, and a total of approximately 30,000 acres in the vicinity of Libby. There are only a few major property owners within OU 3, those being the US Forest Service and Plum Creek.

5. Plum Creek has not been a party to discussions between the EPA and WR Grace and its affiliates regarding the Libby Superfund Site or any remediation work to be performed within OU 3. Specifically regarding the “Administrative Settlement Agreement and Order on Consent for Remedial Investigation/Feasibility Study” dated September 7, 2007, by and between W.R. Grace, Kootenai Development Company and the EPA (the “2007 Agreement”), Plum Creek is not a party to that Agreement, was not privy to negotiations regarding it, and to my knowledge, Plum Creek had no advance notice regarding it except such notice, if any, as may have appeared generally in the newspapers.

6. After Plum Creek learned of the EPA Draft Report on or about May 21, 2010, and the prospect that its timber within OU 3 might be unusable if certain levels of asbestos material are determined to be imbedded into the bark, I retained outside bankruptcy counsel and authorized such counsel to contact Debtors’ bankruptcy counsel regarding the EPA Draft Report and the prospect that Plum Creek might hold claim(s) against Debtors.

7. Because the EPA Draft Report was issued in the past several weeks, Plum Creek has not had sufficient opportunity to determine the scope and extent of its potential claims against Debtors. Believing it was appropriate to advise Debtors promptly upon learning of the EPA Draft Report and the prospect that Plum Creek may holds claims against Debtors, I authorized the filing of a proof of claim against WR Grace – Connecticut and Kootenai Development Company, the two entities which are parties to the 2007 Agreement with the EPA. Under the circumstances, Plum Creek’s claims are filed in amounts which are contingent and unliquidated.

8. Although the amount of Plum Creek’s claims is speculative at this time, I have asked appropriate Plum Creek employees to prepare an estimate of the value of the timber per acre in OU3. I will be on vacation from Jun 29 to July 15 and not reachable during that time. I have asked that the information be provided to our counsel in my absence, so that counsel can present it to the Court.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

DATED: June 28, 2010
Seattle, Washington



Rosemary Daszkiewicz, Esq.
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